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DATE: July 24, 2019

TO: Nikkilia Lu, State Innovation Exchange

FROM: Ben Lazarus and Gabby Weisberg, TargetSmart

RE: SiX Pennsylvania 2019 Statewide Issues Poll – Criminal Justice Reform

Political Environment

Pennsylvania currently presents an advantageous environment for Democrats and progressive policy priorities. President Trump is largely disliked by voters, receiving a chilly 40-degree mean rating, as measured on a 0 to 100 scale. The president is rated unfavorably (0 to 49 degrees) by over half of the electorate (54 percent), while he receives warm, favorable ratings (52 to 100 degrees) from just 2-in-5 voters (38 percent).

In comparison, Governor Wolf's personal standing is much stronger than Trump's, receiving a warm 55-degree mean rating on the same 0-100 scale. The governor is rated favorably by almost half of the electorate (47 percent), while fewer than 1-in-3 voters rate him unfavorably (30 percent).

A generic Democratic candidate for state house also leads a generic Republican candidate by 8-points in this poll (48 percent to 40 percent), representing a net gain of 4-points since 2018, when the generic ballot was essentially tied (47 percent to 43 percent).[1]

In an open ended exercise that probes voters on the issues on which they'd like to see the General Assembly focus, we find that voters gravitate towards taxes (16 percent), education (15 percent), and health care affordability (11 percent) as their top priorities. Democrats are more likely to prioritize education and schools (20 percent), while independents (20 percent) and Republicans (23 percent) place the highest priority on taxes. Issues that rank relatively lower in voters' priorities list, though still salient, include jobs and the economy (9 percent), infrastructure improvements (7 percent), immigration (6 percent), and climate change (5 percent).

Messaging Related to Criminal Justice Reform

Voters almost unanimously support efforts to reform the criminal justice system in Pennsylvania (81 percent support, 12 percent oppose). What's more, almost half of the electorate (47 percent) believe that the primary purpose of incarceration should be to rehabilitate offenders, while fewer than one-in-four say it should be punishment (24 percent). That said, a plurality would rather the General Assembly focus on deterring crime and maintaining law and order, rather than on reforms to end mass incarceration and protect human rights, suggesting voters are bit divided on the main goal of criminal justice reform (see Figure 1). Audiences that strongly back the reform argument include liberals, voters in urban areas, black voters, and college graduates under the age of 50, while conservatives, voters in
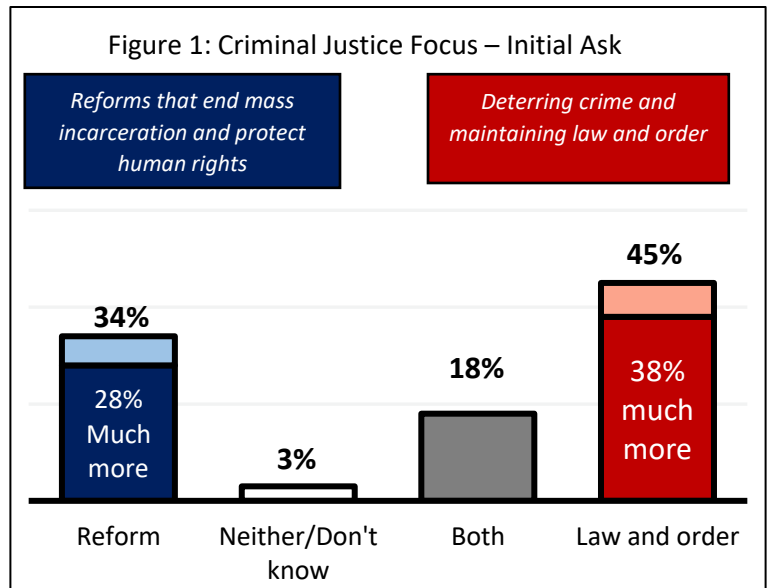
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[1] The 2018 SiX Pennsylvania Statewide Issues and Messaging poll was conducted from June 13-17, 2019.

rural and suburban areas, white voters, and blue collar voters over 50 side with the law and order argument.

Several messaging themes emerge as the most powerful arguments for criminal justice reform. Injecting a tinge of populism into the debate, we find that voters across the state are responsive to the argument[2] on reforming cash bail laws (47 percent very persuasive, 74 percent total persuasive). Close behind this are arguments highlighting the burden to taxpayers and the state budget of over incarceration (46 percent very persuasive, 74 percent total persuasive) and for increasing resources for those suffering from addiction and mental health problems (46 percent very persuasive, 79 percent total persuasive).

Arguments on the treatment of incarcerated women (35 percent very persuasive, 68 percent total persuasive), racial disparities in incarceration (35 percent very persuasive, 61 percent total persuasive), and focusing on rehabilitation rather than punishment (34 percent very persuasive, 69 percent total persuasive) receive softer reactions from the electorate, but are still quite effective overall, particularly with Democrats and voters of color.

Figure 1: Criminal Justice Focus – Initial Ask

Reforms that end mass incarceration and protect human rights

Deterring crime and maintaining law and order

- Reform: 34% (28% Much more)
- Neither/Don't know: 3%
- Both: 18%
- Law and order: 45% (38% much more)

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Appendix A – Survey Methodology

TargetSmart designed this multi-modal survey. Eight-hundred and fifty interviews were conducted via professional telephone agents (453 wireless respondents, 397 landline respondents), and 406 interviews were conducted online among panelists who were matched to the TargetSmart voter file from six opt-in panel providers. The survey was conducted from June 15-20, 2019. All respondents indicated they were 18 years or older and registered to vote in Pennsylvania. Quotas were designed to reflect the demographic and geographic distribution of registered voters in Pennsylvania. The data were weighted by age, race, party registration, TargetSmart High School Only Score, and region by county to ensure an accurate reflection of the population.

A representative statewide base sample of 1,106 respondents was augmented by oversamples of 50 respondents residing in the state's Northwest[3] region, Southwest[4] region, and East Central[5] region. The oversamples were weighted into the base such that the overall effective sample size is 1,100. No margin of sampling error is calculated for this survey as online data collection relies on non-representative opt-in panels. However, a fully randomized study with a sample size of 1,100 interviews carries with it a margin of error of +/- 2.95% at a 95% confidence level. Percentage totals may not add up precisely due to rounding.

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[3] The Northwest region is defined by Erie, Crawford, Mercer, Lawrence, Venango, and Warren counties.
[4] The Southwest region is defined by Armstrong, Indiana, Westmoreland, Fayette, Washington, Greene, Beaver, and Butler counties.
[5] The East Central region is defined by Dauphin, Lebanon, Lancaster, York, Adams, Cumberland, and Perry counties.

Appendix B – Full Text of Tested Criminal Justice Reform Messages

Q.15 OK, I'm going to read you some arguments people have made about matters of criminal justice here in Pennsylvania. Please tell me whether you find each argument to be very persuasive, somewhat persuasive, a little persuasive, or not at all persuasive.
A. (BAIL REFORM) The Pennsylvania General Assembly should reform cash bail laws because it is unfair and unjust that rich people can buy their way out of jail while poor and working-class defendants sit in jail awaiting trial, before they have been convicted of anything.
B. (EXPENSE ARGUMENT) The state of Pennsylvania should stop spending so much taxpayer money on putting people in prison. The state spends over forty-thousand dollars a year on each inmate, while we spend just nine-thousand dollars a year per student in Pennsylvania public schools.
C. (REHABILITATION) Pennsylvania's criminal justice system is too focused on strict punishment and does not effectively rehabilitate incarcerated individuals. The Pennsylvania General Assembly should reform our probation and parole systems to place a larger emphasis on rehabilitation and fix technical trip-ups that put non-violent offenders back in prison for things like being late to a meeting.
D. (SOCIAL SERVICES) The Pennsylvania General Assembly should increase resources and create programs that put those suffering from addiction and mental health problems in treatment facilities, instead of jails and prisons, so they will receive the help and rehabilitation they need.
E. (INCARCERATED WOMEN) The Pennsylvania General Assembly should protect the basic human rights of incarcerated women by providing alternative sentencing options to pregnant women and those with young children, increasing access to female health and hygiene needs in jails and prisons, and enforcing the ban on shackling pregnant women.
F. (RACE) People of color are way over-represented in Pennsylvania's criminal justice system. The state legislature should work on reforms that eliminate racial and ethnic disparities in Pennsylvania's prison system, educate law enforcement officials on how to avoid bias when making decisions, and fix the structural disadvantages present in communities of color which are associated with high rates of offending and arrest.